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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,877	07/27/2005	Junzo Tanaka	2005-0298A	2060
513	7590	05/17/2007	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.				ARIANI, KADE
2033 K STREET N. W.				
SUITE 800				
WASHINGTON, DC 20006-1021				
				1651
ART UNIT		PAPER NUMBER		
MAIL DATE		DELIVERY MODE		
05/17/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/525,877	TANAKA ET AL.
	Examiner Kade Ariani	Art Unit 1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 14-20 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 14-20 and 27-32 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

A reference to any prior application to which applicant is claiming priority must be inserted as the first sentence of the specification.

The response to election/restriction filed on April 23, 2007, has been received. Applicant's election without traverse of group I claims 14-20 and 27-32 in the reply is acknowledged.

Claims 14-20 and 27-32 are pending in this application and were examined on their merits.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-20 and 27- 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Reed et al. (Proc. Natl. Acad. Sci. USA, 1997, Vol. 94, p. 13885-13890).

Claims 14-20 and 27-32 are drawn to a method for cell culture which continuously controls dynamic conditions by application of hydrostatic pressure on a culture liquid in an atmospheric air condition or a gaseous atmosphere condition for culturing cells by centrifugal force, thereby giving stimulation to the cells the hydrostatic

pressure to the cells is periodically changed or maintained for a certain period of time by application of centrifugal force, cells are cultured together with various kinds of biomaterials, controlling the number of rotations, the number of rotations within a range from 10-25,000 rpm, pressure is applied within a range from 0.5 sec to 6 weeks.

Reed et al. discloses a method for cell culture by application of hydrostatic pressure on a culture liquid in an atmospheric air condition or a gaseous atmosphere condition for culturing cells by centrifugal, giving stimulation to the cells by application of centrifugal force, cells are cultured together with various kinds of biomaterials, controlling the number of rotations, the number of rotations within a range from 10-25,000 rpm force (see Materials & Methods p. 13885, column 2, lines 29-39), hydrostatic pressure is in the range of 60Mpa or less (p.13888, column 2 lines 9-10), pressure is applied within a range from 0.5 to 6 weeks (p. 13885, column 1, 3rd paragraph, lines 4-6).

Reed et al. therefore clearly anticipated the claimed invention.

### ***Conclusion***

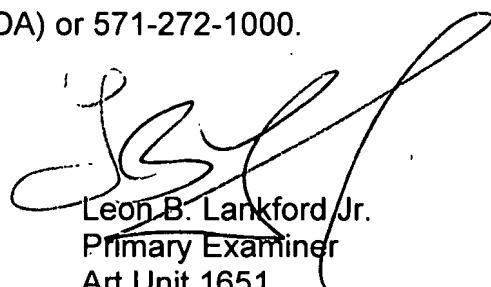
No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kade Ariani whose telephone number is (571) 272-6083. The examiner can normally be reached on 9:00 am to 5:30 pm EST Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on (571) 272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kade Ariani  
Examiner  
Art Unit 1651



Leon B. Lankford Jr.  
Primary Examiner  
Art Unit 1651